

**GALLATIN LOCAL WATER QUALITY DISTRICT
MEETING MINUTES FINAL
January 14, 2010**

BOARD MEMBERS PRESENT:

Mark Criner
Kathy Gallagher
Dave Hebner
Sherwin Leep, Chair
Gretchen Rupp, Vice-Chair
Steve White, Secretary

GLWQD STAFF PRESENT:

Alan English, Manager
Tammy Crone, Water Quality Specialist
Baker Lyon, Water Quality Specialist

BOARD MEMBERS EXCUSED:

Bozeman City Commission (Vacant)
Bozeman At-Large Representative (Vacant)
Town of Manhattan Council (Vacant)

BOARD LIAISONS PRESENT:

Sean O'Callaghan, Planning Department
Tom Moore, Environmental Health

PUBLIC AND GUESTS:

None present

I. CALL TO ORDER

Sherwin Leep called the meeting to order at 8:20 a.m.

II. APPROVAL OF NOVEMBER 5, 2009 MEETING MINUTES

A motion to approve the minutes of the November 5, 2009 Board meeting was made by Kathy Gallagher, seconded by Gretchen Rupp. The motion passed as follows:

ROLL CALL:

For

Mark Criner
Dave Hebner
Sherwin Leep
Gretchen Rupp
Steve White

Opposed

Abstain

Kathy Gallagher
Bozeman City Commission (Vacant)
Bozeman City At-Large (Vacant)
Manhattan Town Council (Vacant)

III. PUBLIC COMMENT:

None.

**IV. PUBLIC HEARING AND DECISION ON RESOLUTIONS OF INTENT TO
CHANGE THE BOUNDARY OF THE GALLATIN LOCAL WATER QUALITY
DISTRICT**

The District Manager provided a review of the boundary change resolutions, including a new decision to divide the boundary expansion into three separate areas and for three separate resolutions. There are approximately 3,400 fee assessed units for all three areas. The fee

revenue would be total approximately \$20,000, annually. The boundary lines follow township, range and section lines. The three expansion areas are: Northern Expansion which includes Logan, Western Expansion which includes Amsterdam/Churchill area. This boundary also includes Camp Creek and Godfrey Creek. The final area is the Southern Expansion which includes the Big Sky area up to the Gallatin County/Madison County line.

Tom Moore asked if it was easier to put the boundaries on TRS lines vs. following the river boundary. Alan replied that rivers make difficult legal boundaries and the TRS is cleaner for fee purposes. Steve White expressed concern that the southern expansion includes a lot of national forest area and that the Forest Service might have some demands on the District. Alan replied that there are already large areas of forest service land in the existing boundary and if anything, we might provide comments to the Forest Service on travel plans. Alan also stated that following the county line in this area allows us to keep drainages together for research and study purposes. The southern boundary area is the biggest with respect to workload and potential water issues. Alan also stated that if Madison County decided to create a LWQD, then there exists the possibility of joint administration with the Gallatin LWQD.

In terms of the hearing process, today the Board is charged with making a decision to pass resolutions of intent. Alan reviewed the process for reviewing the draft resolutions and legal descriptions. These were performed by the legal department, as well as the Treasurer's office and Clerk & Recorder's office. Steve White asked if we are doing 3 different notices for the 3 different areas and if we could attach maps. Sean O'Callaghan mentioned they do that in the Planning Department. Alan stated it would be very expensive. Steve wanted to put the idea out for discussion. Sean suggested putting a blurb in the legal notice that states people can go to the website to view the maps. Alan stated that each parcel owner in the proposed expanded boundary will get a postcard that also provides a link to the GLWQD website which will contain the maps. If the resolutions of intent pass, postcards will be mailed Friday. Alan stated that the Statute requires notice be sent to all fee-assessed parcels. But Alan said he asked the Treasurer's Office to prepare a mailing list that includes all parcels in the proposed boundary expansion areas.

As soon as the resolutions are passed, they will be forwarded on to Montana DEQ and they will set everything up for the Board of Environmental Review approval. At that point, all three boundary expansion areas would be packaged as one.

There will be a 30-day protest period beginning on Sunday with public notice of the legal ad in the Chronicle. The protest period will extend through February 16, 2010, ending at 5:00pm. The public hearing for the boundary expansion would need to be held on February 18, 2010.

Gretchen Rupp clarified that today, the Board is voting on an intent to change the boundary and on February 18th the Board would be voting on whether or not to actually change the boundary. Steve White clarified that the protest period is only for 30 days and the last day they can be presented to formally count will be February 16th, prior to the February 18, 2010 meeting. This initial date for a public hearing was discussed and changed to February 22, 2010 to allow time for processing of protests. Kathy asked if additional outreach meetings are being planned. Alan commented that was the plan.

Sherwin Leep asked where and how the public has the opportunity to protest. Alan described that in order to protest, a parcel owner must go to the Clerk & Recorder's Office to fill out the protest form.

Sherwin Leep opened the floor for discussion on the Resolution of intent to expand the Western Boundary.

Steve White motioned to approve Resolution No. 2010-01: Intent to Change the Gallatin Local Water Quality District Boundary – Western Expansion. Gretchen Rupp seconded. The motion passed as follows:

ROLL CALL:	<u>For</u>	<u>Opposed</u>	<u>Abstain</u>
	Mark Criner		Bozeman City Commission (Vacant)
	Kathy Gallagher		Bozeman City At-Large (Vacant)
	Dave Hebner		Manhattan Town Council (Vacant)
	Sherwin Leep		
	Gretchen Rupp		
	Steve White		

Steve White motioned to approve Resolution No. 2010-02: Intent to Change the Gallatin Local Water Quality District Boundary – Northern Expansion. Mark Criner seconded. The motion passed as follows:

ROLL CALL:	<u>For</u>	<u>Opposed</u>	<u>Abstain</u>
	Mark Criner		Bozeman City Commission (Vacant)
	Kathy Gallagher		Bozeman City At-Large (Vacant)
	Dave Hebner		Manhattan Town Council (Vacant)
	Sherwin Leep		
	Gretchen Rupp		
	Steve White		

Steve White motioned to approve Resolution No. 2010-03: Intent to Change the Gallatin Local Water Quality District Boundary – Southern Expansion. Kathy Gallagher seconded. The motion passed as follows:

ROLL CALL:	<u>For</u>	<u>Opposed</u>	<u>Abstain</u>
	Mark Criner		Bozeman City Commission (Vacant)
	Kathy Gallagher		Bozeman City At-Large (Vacant)
	Dave Hebner		Manhattan Town Council (Vacant)
	Sherwin Leep		
	Gretchen Rupp		
	Steve White		

Steve White was excused for another meeting at 8:50 a.m.

Tom Moore, EHS stated this will probably be a noteworthy event and that maybe we could get the newspaper to include a map when they run a story. Sean O'Callaghan mentioned he has an

open house meeting on the 20th in Big Sky from 6-8:00 p.m. Alan stated the GLWQD would coordinate with Sean to participate in the meeting. Alan stated we will set-up a specific meeting to go out to Amsterdam/Churchill. Gretchen asked about an informational meeting in the Dry Creek area. Alan stated there are locations we could hold an informational meeting and we will look into doing that.

Dave Hebner asked if the tax records show if a property is “improved” or not. Alan stated that there is a code that is displayed on the record to indicate if a parcel is improved or not.

Gretchen asked what portion of our budget is fee based vs. grant funded. Alan estimates it is approximately 75% fee revenue. Alan stated our budget has gotten tighter especially with staff costs and increased research and monitoring expenses.

Sean reminded Alan that there needs to be an effort to make sure that address duplicates for landowners are minimized. If given a text file, you can cull the duplicates. Alan said he will talk to the Clerk & Recorder’s Office to double-check it. Alan will modify the text of the postcard to indicate that an owner of one or more parcels can protest each parcel.

VIII. STAFF UPDATE:

Alan provided highlights of staff update, but will send out a written document to the Board after today’s meeting. Highlights include: Purchase of a Proactive pump for low-flow sampling. However, we have a lot of different kinds of wells in the network and some wells would take over 6 hours to purge. We discovered that the Grundfos pump is not the issue, it is the Teflon-lined tubing because the Teflon lining is all crumpled. Alan stated that we may want to modify our Long-Term Monitoring Plan to where we will do sampling on our District wells and only sample as requested the MBMG wells.

Tammy and Baker have been chipping away at completing the VOC monitoring project. The last day to submit samples to the laboratory is January 22, 2010, in order to complete the project before the deadline.

Tammy has been working on the Riparian Education Campaign. There have been some issues with coordinating match requirements for the TV and radio spots, but Tammy is working with the Flathead CD and LWQD partners on this.

The pharmaceutical final report is in progress and Gary Icopini at MBMG is working on that. It should be completed soon.

The wastewater report is almost completed. Alan will be finalizing things with CB Dormire soon.

Tammy distributed over 2,000 copies of the Gallatin Watershed Sourcebook to outlets in the area.

Alan stated that there have been no applications to the City of Bozeman for the At-Large board position. Randy Carpenter has expressed an interest in the position, but has not completed an

application yet. Alan commented that as soon as someone submits an application, the Bozeman City Commission will appoint them. We also need a Manhattan Council Member replacement and will be getting a Bozeman City Commission appointee as soon as they have selected someone to replace retiring Commissioner Eric Bryson.

XI. OTHER BUSINESS

None.

XII. AGENDA FOR NEXT MEETING:

Resolution of Intent to Change the Boundary of the Gallatin Local Water Quality District.

The next meeting is scheduled for Monday, February 22, 2010 at 6:00 pm in the Community Room.

The meeting was adjourned at 9:30 a.m.

Respectfully Submitted,

Sherwin Leep, Chair

Date

Steve White, Secretary

Date

Alan English, District Manager

Date